

### § 300. Establishment of positions; payment from contingent fund

The committee may authorize the establishment of additional positions of the kind to which this chapter applies, on a permanent basis or on a temporary basis of not to exceed six months' duration, whenever, in the judgment of the committee, such action is warranted in the interests of the orderly and efficient operation of the House of Representatives. The compensation of each such position may be paid out of the contingent fund of the House of Representatives until otherwise provided by law. An additional position of the kind to which this chapter applies shall not be established without authorization of the committee.

(Pub. L. 88-652, §11, Oct. 13, 1964, 78 Stat. 1083.)

### § 301. Preservation of existing appointing authorities

This chapter shall not be held or considered to change or otherwise affect—

- (1) any authority to establish positions under the House of Representatives which are not within the purview of this chapter; or
- (2) any authority to make appointments to positions under the House of Representatives, irrespective of whether such positions are within the purview of this chapter.

(Pub. L. 88-652, §12, Oct. 13, 1964, 78 Stat. 1083.)

### § 302. Regulations

The committee is authorized to prescribe such regulations as may be necessary to carry out the purposes of this chapter.

(Pub. L. 88-652, §13, Oct. 13, 1964, 78 Stat. 1084.)

### § 303. Dual compensation

For the purposes of applicable law relating to the payment to any employee subject to the House Employees Schedule or the House Wage Schedule of compensation from more than one civilian office or position, the rate of basic compensation of each employee subject to any such schedule shall be held and considered to be that rate which, when increased by additional compensation then currently authorized by law for House employees generally, equals or most nearly equals the per annum rate of compensation of such employee under such schedule.

(Pub. L. 88-652, §14, Oct. 13, 1964, 78 Stat. 1084.)

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 60e-13 of this title.

## CHAPTER 10A—PAYROLL ADMINISTRATION IN HOUSE OF REPRESENTATIVES

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| Sec.<br>331. | Single per annum gross rates of pay for employees.  |
| 332.         | Single per annum gross rates of clerk hire allowances of Members. <ol style="list-style-type: none"> <li>(a) Population as basis.</li> <li>(b) Monthly pay limitation.</li> <li>(c) Yearly pay limitation.</li> <li>(d) Salary schedule changes; certification.</li> <li>(e) Titles for positions.</li> </ol> |

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| Sec.<br>333. | Single per annum gross rates of allowances for personal services in offices of Speaker, Leaders, and Whips. |
| 333a.        | Limits on uses of funds provided under section 333.   |
| 334.         | Conversion by Clerk of House of existing basic pay rates to per annum gross pay rates.                      |
| 335.         | Obsolete references in existing law to basic pay rates.   |
| 336.         | Saving provision.   |

### § 331. Single per annum gross rates of pay for employees

Whenever the rate of pay of an employee whose pay is disbursed by the Clerk of the House of Representatives is fixed or adjusted on or after the effective date of this section, that rate, as so fixed or adjusted, shall be a single per annum gross rate.

(Pub. L. 91-510, title IV, §471, Oct. 26, 1970, 84 Stat. 1193.)

#### EFFECTIVE DATE

Chapter effective immediately prior to noon on Jan. 3, 1971, see section 601(1) of Pub. L. 91-510, set out as an Effective Date of 1970 Amendment note under section 72a of this title.

#### TRANSFER OF FUNCTIONS

Certain functions of Clerk of House of Representatives transferred to Director of Non-legislative and Financial Services by section 7 of House Resolution No. 423, One Hundred Second Congress, Apr. 9, 1992. Director of Non-legislative and Financial Services replaced by Chief Administrative Officer of House of Representatives by House Resolution No. 6, One Hundred Fourth Congress, Jan. 4, 1995.

#### INCONSISTENT PROVISIONS

Section 477(b) of Pub. L. 91-510 provided that: "All provisions of law inconsistent with any provision of this Part [enacting this chapter, amending section 5533(c) of Title 5, Government Organization and Employees, and repealing sections 60g, 60g-1 and 72a(e) of this title] are hereby superseded to the extent of the inconsistency."

### § 332. Single per annum gross rates of clerk hire allowances of Members

#### (a) Population as basis

The clerk hire allowance of each Member of the House of Representatives and the Resident Commissioner from Puerto Rico shall be at a single per annum gross rate, determined on the basis of the population, as currently estimated by the Bureau of the Census, of the constituency of that Member or the Resident Commissioner within one of the following categories, as applicable—

- (1) a population of less than 500,000, with respect to which the single per annum gross rate of clerk hire allowance is \$133,500; or
- (2) a population of 500,000 or more, with respect to which the single per annum gross rate of clerk hire allowance is \$140,500.

#### (b) Monthly pay limitation

The aggregate of the payments of pay, for each monthly pay period, to employees, out of the clerk hire allowance of a Member or the Resident Commissioner, shall not be at a rate

greater than the single per annum gross rate of clerk hire allowance of that Member or the Resident Commissioner, divided by twelve and adjusted to the nearest lower whole dollar figure, not counting any remaining portion of a dollar.

**(c) Yearly pay limitation**

An employee is not entitled to pay, out of the clerk hire allowance of a Member or the Resident Commissioner, at a single per annum gross rate in excess of \$27,343.27.

**(d) Salary schedule changes; certification**

Each Member and the Resident Commissioner shall certify any rearrangements or changes of salary schedules of employees paid out of his clerk hire allowance, in writing to the Clerk of the House, on or before such day of any month, in which such rearrangements or changes of salary schedules are to become effective, as the Clerk, with the approval of the Committee on House Administration, may designate from time to time. The Clerk shall disburse the pay of those employees in accordance with the certification of that Member or the Resident Commissioner.

**(e) Titles for positions**

Each Member and the Resident Commissioner may, by written notice to the Clerk of the House, establish such titles for positions in his office as he may desire to designate.

(Pub. L. 91-510, title IV, §472, Oct. 26, 1970, 84 Stat. 1194.)

CHANGE OF NAME

Committee on House Administration of House of Representatives changed to Committee on House Oversight of House of Representatives by House Resolution No. 6, One Hundred Fourth Congress, Jan. 4, 1995.

TRANSFER OF FUNCTIONS

Certain functions of Clerk of House of Representatives transferred to Director of Non-legislative and Financial Services by section 7 of House Resolution No. 423, One Hundred Second Congress, Apr. 9, 1992. Director of Non-legislative and Financial Services replaced by Chief Administrative Officer of House of Representatives by House Resolution No. 6, One Hundred Fourth Congress, Jan. 4, 1995.

CROSS REFERENCES

Adjustment of allowances by Committee on House Administration, see section 57 of this title.

**§ 333. Single per annum gross rates of allowances for personal services in offices of Speaker, Leaders, and Whips**

The allowance for additional office personnel in the office of each of the following officials of the House of Representatives shall be at a single per annum gross rate, as follows:

- (1) the Speaker, \$110,000.
- (2) the Majority Leader, \$90,000.
- (3) the Minority Leader, \$55,000.
- (4) the Majority Whip, \$55,000.
- (5) the Minority Whip, \$55,000.

(Pub. L. 91-510, title IV, §473, Oct. 26, 1970, 84 Stat. 1194.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 333a of this title.

**§ 333a. Limits on uses of funds provided under section 333**

The funds provided under the provisions of section 333 of this title shall be limited to use for the compensation of additional personnel and other necessary official expenses.

(Pub. L. 98-51, title I, §112, July 14, 1983, 97 Stat. 270.)

CODIFICATION

Section was enacted as part of the Congressional Operations Appropriation Act, 1984, which is title I of the Legislative Branch Appropriation Act, 1984, and not as part of part 6 (§§471-477) of title IV of Pub. L. 91-510 which in part comprises this chapter.

Section, as it applies to funds provided under section 74a-4 of this title, is classified to section 74a-5 of this title.

**§ 334. Conversion by Clerk of House of existing basic pay rates to per annum gross pay rates**

The Clerk of the House of Representatives shall convert, as of the effective date of this section, to a single per annum gross rate, the rate of pay of each employee whose pay—

- (1) is disbursed by the Clerk; and
- (2) immediately prior to such effective date, was fixed at a basic rate with respect to which additional pay was payable by law.

(Pub. L. 91-510, title IV, §474, Oct. 26, 1970, 84 Stat. 1194.)

TRANSFER OF FUNCTIONS

Certain functions of Clerk of House of Representatives transferred to Director of Non-legislative and Financial Services by section 7 of House Resolution No. 423, One Hundred Second Congress, Apr. 9, 1992. Director of Non-legislative and Financial Services replaced by Chief Administrative Officer of House of Representatives by House Resolution No. 6, One Hundred Fourth Congress, Jan. 4, 1995.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 335 of this title.

**§ 335. Obsolete references in existing law to basic pay rates**

In any case in which—

- (1) the rate of pay of any employee or position, or class of employees or positions, the pay for whom or for which is disbursed by the Clerk of the House of Representatives, or any maximum or minimum rate with respect to any such employee, position, or class, is referred to in or provided by statute or House resolution; and
- (2) the rate so referred to or provided is a basic rate with respect to which additional pay is provided by law;

such statutory provision or resolution shall be deemed to refer, in lieu of such basic rate, to the per annum gross rate which an employee receiving such basic rate immediately prior to the effective date of this section would receive, without regard to such statutory provision or resolution, under section 334 of this title on and after such date.

(Pub. L. 91-510, title IV, §475, Oct. 26, 1970, 84 Stat. 1195.)

TRANSFER OF FUNCTIONS

Certain functions of Clerk of House of Representatives transferred to Director of Non-legislative and Fi-

nancial Services by section 7 of House Resolution No. 423, One Hundred Second Congress, Apr. 9, 1992. Director of Non-legislative and Financial Services replaced by Chief Administrative Officer of House of Representatives by House Resolution No. 6, One Hundred Fourth Congress, Jan. 4, 1995.

### § 336. Saving provision

The provisions of this chapter shall not be construed to—

(1) limit or otherwise affect any authority for the making of any appointment to, or for fixing or adjusting the pay for, any position for which the pay is disbursed by the Clerk of the House of Representatives; or

(2) affect the continuity of employment of, or reduce the pay of, any employee whose pay is disbursed by the Clerk of the House.

(Pub. L. 91-510, title IV, § 476, Oct. 26, 1970, 84 Stat. 1195.)

#### REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Part”, meaning part 6 (§§ 471-477) of title IV of Pub. L. 91-510, Oct. 26, 1970, 84 Stat. 1193, which enacted this chapter, amended section 5533 of Title 5, Government Organization and Employees, repealed sections 60g, 60g-1, and 72a of this title, and enacted provisions set out as a note under section 331 of this title. For complete classification of part 6 to the Code, see Tables.

#### TRANSFER OF FUNCTIONS

Certain functions of Clerk of House of Representatives transferred to Director of Non-legislative and Financial Services by section 7 of House Resolution No. 423, One Hundred Second Congress, Apr. 9, 1992. Director of Non-legislative and Financial Services replaced by Chief Administrative Officer of House of Representatives by House Resolution No. 6, One Hundred Fourth Congress, Jan. 4, 1995.

### CHAPTER 11—CITIZENS’ COMMISSION ON PUBLIC SERVICE AND COMPENSATION

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#### CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in section 31 of this title; title 3 section 104; title 5 sections 5312 to 5316; title 26 section 7456; title 28 sections 5, 44, 135, 252.

### § 351. Establishment

There is hereby established a commission to be known as the Citizens’ Commission on Public

Service and Compensation (hereinafter referred to as the “Commission”).

(Pub. L. 90-206, title II, § 225(a), Dec. 16, 1967, 81 Stat. 642; Pub. L. 101-194, title VII, § 701(a), Nov. 30, 1989, 103 Stat. 1763.)

#### AMENDMENTS

1989—Pub. L. 101-194 substituted “Citizens’ Commission on Public Service and Compensation” for “Commission on Executive, Legislative, and Judicial Salaries”.

#### EFFECTIVE DATE

Chapter effective Dec. 16, 1967, see section 220(a)(1) of Pub. L. 90-206, set out as a note under section 3110 of Title 5, Government Organization and Employees.

### § 352. Membership

(1) The Commission shall be composed of 11 members, who shall be appointed from private life as follows:

(A) 2 appointed by the President of the United States;

(B) 1 appointed by the President pro tempore of the Senate, upon the recommendation of the majority and minority leaders of the Senate;

(C) 1 appointed by the Speaker of the House of Representatives;

(D) 2 appointed by the Chief Justice of the United States; and

(E) 5 appointed by the Administrator of General Services in accordance with paragraph (4).

(2) No person shall serve as a member of the Commission who is—

(A) an officer or employee of the Federal Government;

(B) registered (or required to register) under the Federal Regulation of Lobbying Act [2 U.S.C. 261 et seq.]; or

(C) a parent, sibling, spouse, child, or dependent relative, of anyone under subparagraph (A) or (B).

(3) The persons appointed under subparagraphs (A) through (D) of paragraph (1) shall be selected without regard to political affiliation, and should be selected from among persons who have experience or expertise in such areas as government, personnel management, or public administration.

(4) The Administrator of General Services shall by regulation establish procedures under which persons shall be selected for appointment under paragraph (1)(E). Such procedures—

(A) shall be designed in such a way so as to provide for the maximum degree of geographic diversity practicable among members under paragraph (1)(E);

(B) shall include provisions under which those members shall be chosen by lot from among names randomly selected from voter registration lists; and

(C) shall otherwise comply with applicable provisions of this section.

(5) The chairperson shall be designated by the President.

(6) A vacancy in the membership of the Commission shall be filled in the manner in which the original appointment was made.

(7) Each member of the Commission shall be paid at the rate of \$100 for each day such mem-